

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-cr-80101-Middlebrooks

UNITED STATES OF AMERICA

v.

DANIEL CRUZ,

Defendant.

**ACKNOWLEDGMENT OF OFFENSE ELEMENTS AND STIPULATION AS TO
FACTUAL BASIS FOR GUILTY PLEA**

I, DANIEL CRUZ, agree that the facts set forth below are true and accurate and that the United States could prove these facts against me at trial. I am pleading guilty to all five (5) counts in the indictment, charging me with bank robbery, in violation of Title 18, United States Code, Section 2113(a).

I am pleading guilty because I did rob the banks as alleged in the indictment. I am pleading guilty because I am in fact guilty of the charges. The following recitation of facts shall constitute the factual basis for my plea of guilty.

NATURE OF CHARGE TO WHICH I AM PLEADING GUILTY

I am aware of and understand the nature of the charges to which I am pleading guilty because I have discussed with my attorney the charges and what the prosecutor must prove to convict me.

I understand that the United States must prove the following facts and elements for each of the offenses beyond a reasonable doubt:

Counts 1-5: Bank Robbery, in violation of Title 18, United States Code, Section 2113(a).

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

- (a) the defendant knowingly took or attempted to take money or property possessed by a federally insured bank from or in the presence of the person described in the information; and
- (2) the defendant did so by means of force and violence or by means of intimidation.

A "federally insured bank" means any bank whose deposits are insured by the Federal Deposit Insurance Corporation.

STIPULATED FACTS

Between June 12, 2024, and June 14, 2024, Daniel CRUZ committed five bank robberies. During a post-*Miranda* statement after his arrest, CRUZ told law enforcement that he committed the bank robberies.

Count 1 - June 12, 2024 – Wells Fargo – North Dixie Highway in Lake Worth Beach

On Wednesday, June 12, 2024, at approximately 12:38 p.m., deputies from the Palm Beach County Sheriff's Office responded to a bank robbery at the Wells Fargo Bank at 120 North Dixie Hwy, Lake Worth Beach, Florida, in the Southern District of Florida. Bank teller E.T. had called PBSO Communications and stated that someone had come to the window and asked for all the money. E.T. described the suspect as a white or Hispanic male wearing dark clothing and a blue armband. Later, during an interview, bank teller M.P. stated that she noticed a Hispanic male robber walk towards her as she was doing something on her computer. The robber got close to her window and told her to "Open the drawer and give me the money." M.P. looked around and, per policy, attempted to walk away. The robber then raised his voice and told M.P. that if she did not

give him the money, he would kill the customer behind him. M.P. advised there was a male behind the robber.

Due to this threat, M.P. opened the money drawer and gave the robber two one-hundred-dollar bills that were next to the fifty-dollar bills. The robber then demanded the fifty-dollar bills as well. M.P. gave the robber the money through the small opening between the glass and the counter. The robber then exited and walked out of the south door of the bank. M.P. advised that at one point throughout the incident, he/she pressed the bank panic button. M.P. stated that the suspect kept putting his hand on his side as if he had a weapon, but M.P. never saw one. M.P. described the suspect to be a white or Hispanic male, heavy set, bald, and unknown color clothing with a blue armband on his arm.

E.T. advised that she heard a noise and looked at M.P. who was pressing the panic button. E.T. heard the suspect demanding that M.P. open the drawer and told her to hurry up. E.T. then heard CRUZ say that he was going to hurt the branch manager. E.T. saw M.P. give CRUZ hundred-dollar bills and the suspect demanded 50's as well. E.T. then pressed his/her panic button. A later official count conducted by bank staff determined that CRUZ left the bank with approximately \$1,000.00 in denominations of 2 one-hundred-dollar bills and 16 fifty-dollar bills.

The bank security staff provided PBSO investigators with photo stills, including ones of the suspect later identified as CRUZ and the vehicle he arrived in at/near the bank. Through further investigation, DANIEL CRUZ was identified as a possible suspect.

On Thursday, June 13, 2024, PBSO personnel produced three photo arrays containing the images of six similar looking individuals, which included a recent photo of Daniel CRUZ. E.T., M.P., and D.S. were presented with separate photo arrays, and they all identified the image of CRUZ as the robber.

The Wells Fargo Bank is FDIC insured.

Count 2 - June 13, 2024 – Wells Fargo Bank – Congress Avenue in Palm Springs

On Thursday, June 13, 2024, at approximately 9:30 a.m., law enforcement was dispatched to a bank robbery at the Wells Fargo Bank located at 1662 S. Congress Avenue, Palm Springs, Florida, in the Southern District of Florida. The robber had approached the teller window and demanded money from the teller V.O. Bank customer O.F. told law enforcement officers that he was at a nearby teller window when he heard the robber demand money from the teller. V.O. told law enforcement that a white/Hispanic male came up to her teller window and demanded money. She said the robber told her he had a gun and held his waist band pretending to possess a gun. V.O. complied with the demand and handed CRUZ \$3,000.00 in cash. CRUZ was developed as a suspect and a photo array was created. The bank V.O. and O.F. both positively identified CRUZ as the robber. CRUZ can also be seen in bank surveillance video committing the robbery.

The Wells Fargo Bank is FDIC insured.

Count 3 - June 14, 2024 – Wells Fargo Bank – Forest Hill Boulevard in Palm Springs

On Friday, June 14, 2024, at approximately 10:21 a.m., law enforcement was dispatched to a bank robbery at the Wells Fargo Bank located at 4300 Forest Hill Boulevard, Palm Springs, Florida, in the Southern District of Florida. Bank teller V.E. stated that she was working the teller line when a white/Hispanic male came to her line and demanded money from her. The robber spoke to her in Spanish. He told her to give him all the money or he was going to shoot her and the bank customers. The robber was holding his waist band as though he possessed a gun. The teller was in fear for her life and handed the robber \$2,301.00. A customer named S.A. was in the line next to the robber. The robber told S.A. to stop looking at him and showed S.A. the top of something that S.A. thought was a gun. CRUZ can be seen in bank surveillance video committing

the robbery while wearing the same clothing he wore in other bank robberies. The bank teller and other eyewitnesses described the the robber as a white/Hispanic male wearing a dark colored shirt and pants, approximately 5'6" or 5'7", approximately 200 pounds, with very short hair or bald. Wells Fargo employees P.A., A.M. and V.E. were able to positively identify CRUZ in a photo array.

The Wells Fargo Bank is FDIC insured.

Count 4 - June 14, 2024 – PNC Bank – Forest Hill Boulevard in Palm Springs

On Friday, June 14, 2024, law enforcement responded to a bank robbery at the PNC Bank located at 3989 Forest Hill Boulevard, Palm Springs, Florida, in the Southern District of Florida. The suspect was described as a short, heavy set, white male, wearing dark colored clothing and wearing a black baseball cap with a green label on it. Bank teller G.R. stated that the robber demanded money from her. The robber told G.R. to give him the money or he would shoot the people behind him. G.R. then asked the robber for a deposit slip. At that time, the robber told the teller, "I told you I will shoot the people behind me." He was referring to other customers waiting in line at the bank. The robber left the bank without further incident. Still photos were recovered which show the teller window where G.R. was working, the robber can be seen leaving the bank and walking north in the parking lot of the PNC Bank toward Kirk Road. G.R. positively identified CRUZ in a photo array.

The PNC Bank is FDIC insured.

Count 5 - June 14, 2024 – Truist Bank – South Jog Road in Greenacres

On Friday, June 14, 2024, at approximately 4:09 p.m., Palm Beach County Sheriff's Deputies responded to the report of a bank robbery at the Truist Bank located at 4148 South Jog Road, Greenacres, Florida, in the Southern District of Florida. Bank teller R.K. informed law

enforcement that a Hispanic male had implied by his physical motions that he was armed with a firearm, robbed the bank, and fled the area in a "silver Toyota or Toyota Camry." Law enforcement later saw the vehicle traveling recklessly after the robbery causing other vehicles to swerve out of the way. At approximately 4:05 p.m., the robber had entered the Truist Bank and asked bank teller T.R. where the bathroom was located. Later, the robber came out of the bathroom and approached the far east bank teller window where T.R. was working. He implied by his physical motions that he was armed with a firearm and stated, "Give me the money or I will kill everyone in the bank." T.R. complied and handed the robber \$3,600.00. The robber fled the bank and got into a silver Lexus which then fled from the parking lot. The Lexus was later seen in a parking spot at the Economy Inn motel in Lake Worth Beach, Florida. CRUZ was seen exiting the vehicle from a rear passenger seat. He was arrested on another bank robbery warrant. Search incident to arrest, Cruz was found to be in possession of \$1,010 in U.S. currency.

The Truist Bank is FDIC insured.

Post-Miranda Statement

After CRUZ's arrest on June 14, 2024, he was brought to Palm Beach Sheriff's Office. CRUZ was seated in an interview room with an FBI agent and three PBSO detectives. A PBSO detective read CRUZ his *Miranda* rights and CRUZ provided a statement. Among other statements, CRUZ stated that he had robbed the Wells Fargo in Lake Worth on North Dixie Highway on June 12, 2024, to pay off a drug debt. CRUZ stated that he threatened individuals in the bank to compel bank personnel to comply with his demands for money.

CRUZ also described other bank robberies he had committed after June 12, 2024. CRUZ described robbing a bank on Congress Avenue on June 13, 2024. State and federal investigators were already aware of and pursuing an investigation into a June 13 bank robbery at Wells Fargo

at 1662 Congress Avenue Palm Springs, Florida, committed by an individual matching CRUZ's physical description. CRUZ described unsuccessfully attempting to rob a bank on Forest Hill Boulevard on June 14, 2024. State and federal investigators were already aware of and pursuing an investigation into a June 14 attempted bank robbery at PNC Bank located at 3989 Forest Hill Blvd. Palm Springs, Florida, committed by an individual matching Cruz's physical description. CRUZ described robbing a bank on Forest Hill Blvd. on June 14, 2024, shortly after his unsuccessful attempt to rob the bank on Forest Hill Boulevard. CRUZ also described robbing a bank on Jog Road on June 14, 2024.

There is insufficient evidence to prove CRUZ possessed a firearm during the commission of the robberies. During his post-*Miranda* statement, Mr. Cruz denied ever possessing a firearm or weapon during any of the robberies.

Date: 9/24/24

MARKENZY LAPOINTE
UNITED STATES ATTORNEY


DANIEL E. FUNK

ASSISTANT UNITED STATES ATTORNEY

Date: 9/24/24


RENEE SIHVOLA

ATTORNEY FOR DEFENDANT

Date: 9/24/24


DANIEL CRUZ
DEFENDANT